HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.3288 OF 2006

BETWEEN

Kandagatla Venkateswarlu

.....**Petitioner**

And

The Joint Commissioner of Income Tax,

Warangal Range, Warangal and another

.....**Respondents**

:: JUDGMENT ::

Counsel for the Petitioner : Smt. S.V. Indira

Counsel for the Respondents : Shri S.R. Ashok, Senior Advocate

Dated: 22-02-2006

Per G.S. SINGHVI, CJ

This is a petition for issuance of a writ in the nature of mandamus directing the respondents to supply certified copies of income tax returns of M/s Sriphala Finance Corporation in relation to the financial years 1995-96, 1996-97 and 1997-98.

We have heard the learned counsel for the petitioner and perused the record. In our opinion, the writ petition is liable to be dismissed summarily because,

a. the petitioner has not produced any document before the Court to substantiate his assertion that he and five others had started chit fund business under the name and style M/s Shripala Finance Corporation;

b. the petitioner has not referred to the relevant provisions of the Income Tax Act, 1961 and the Rules under which an application can be made by a stranger for supply of certified copies of the returns;

c. the application made by the petitioner in the suits filed by him in the Court of Principal Junior Civil Judge, Warangal and Additional Junior Civil Judge, Warangal for issuance of a direction for summoning the records of the income tax department were dismissed by the concerned Courts and

those orders do not appear to have been challenged by the petitioner by availing appropriate legal remedy.

For the reasons stated above, the writ petition is dismissed.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

22-02-2006

Ksld/ks